

UNITED STATES DISTRICT COURT  
DISTRICT OF VERMONT

TRACY L. RUBMAN; JAMES  
ELLERY BAKER; KATHY A.  
LOTHIAN,

Plaintiffs,

v.

BAYER AG; MONSANTO COMPANY;  
BAYER CROPSCIENCE L.P.; SOLUTIA,  
INC.; PHARMACIA, L.L.C.;  
PHARMACIA, INC.; and PHARMACIA  
CORP.

Defendants.

No. 2:22-cv-181

**ORDER**

This matter comes before the Court on Monsanto Company, Bayer CropScience LP, Solutia Inc., and Pharmacia LLC (collectively, “Pharmacia”) and third-party Burlington School District’s (“BSD”) joint motion to reschedule the hearing scheduled for January 17, 2023, to the week of January 23, 2023. For the reasons stated below, the Motion is GRANTED.

Pharmacia and BSD report that they have been working diligently and cooperatively on discovery in connection with Pharmacia’s request to inspect premises. They further report that they will have more to report to the Court at a hearing if the hearing currently scheduled for January 17, 2023, were continued to the week of January 23, 2023. The additional time will allow for more of the discovery process to be completed (including the scanning of hard copy documents) by the time of a court hearing. In addition, BSD has informed the Court that it has instructed its contractors not to alter the buildings prior to February 6, 2023. The parties have

reserved their rights with respect to whether this February 6, 2023 demolition date should or should not be changed further by Court order.

The Court agrees that it would be more productive to extend the hearing date to the following week. Accordingly, the Motion is GRANTED and it is FURTHER ORDERED that the hearing will be rescheduled to Monday, January 23, 2023 at 10:00 a.m. The parties additional briefing shall be filed no later than noon on January 22, 2023.

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 13<sup>th</sup> day of January  
2023.

/s/ William K. Sessions III  
William K. Sessions III  
U.S. District Court Judge